

BANKRUPTCY PROCESS AND CHECKLIST

Most bankruptcies are relatively straight forward. Our job at Malkin and Associates is to help make it as easy as possible for you to get through the bankruptcy process without complications. Using the steps and checklist below, will make it a much less stressful experience and keep you informed every step of the way.

STEP 1: PULL YOUR CREDIT REPORT

While we will order copies of your credit reports for you when it is time to complete your bankruptcy petition, it's a good idea for you to order a copy in advance and review it.

Pull your free Equifax report at www.annualcreditreport.com.

STEP 2: TAKE YOUR CREDIT COUNSELING COURSE WITHIN THE 180 DAYS BEFORE YOUR PETITION IS FILED

- www.debthelper.com or by phone at 800.920.2262.
- Money Management International at www.moneymanagement.org or by phone at 866.889.9347.
- abacuscc.org or by phone by registering at (800) 516-3834 for course at (866) 693-1420
- A123 Credit Counseling at www.a123cc.com

STEP 3: COMPLETE OUR BANKRUPTCY QUESTIONNAIRE

STEP 4: GATHER COPIES OF THE FOLLOWING DOCUMENTS

Please drop off all of your information and any remaining fees either in person or by mail. **DO NOT FAX.**

WE WILL NOT ACCEPT ORIGINALS

- Pay check stubs for the past **SIX MONTHS** for both filer and spouse.
- One billing statement for each creditor.
- Any collection letters, lawsuit papers, complaints, or attorney notices.
- Tax bills specifying year in default and amount due.
- For chapter 13 filers only – 401 k loan contract that shows the loan maturity date.
- For self employed debtors only – profit and loss statements for the business **FOR THE LAST SIX MONTHS**

You are required to make copies before you drop off the packet with our office. If you need us to make copies for you, we will do so for \$10.00.

STEP 5: SCHEDULE AN APPOINTMENT TO SIGN THE BANKRUPTCY

SCHEDULES When you drop off your packet, we will then review your documents and call you to schedule an appointment for you to come in and review and sign your petition with an attorney.

- Please update paystubs by bringing with you the most current paystubs received with you.

STEP 6: FILING YOUR PETITION

During your signing appointment, you will decide together with your attorney on what day your petition will get filed.

STEP 7: TAKE THE SECOND COURSE

You have 30 days after your case is filed to complete the second counseling course.

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STEP 8: PROVIDE DOCUMENTS TO THE TRUSTEE PRIOR TO YOUR CREDITOR'S MEETING

IT IS YOUR RESPONSIBILITY TO COOPERATE WITH THE TRUSTEE'S REQUEST FOR DOCUMENTS. DO NOT FORWARD THOSE DOCUMENTS TO OUR OFFICE. WE DO NOT PROVIDE ANY DOCUMENTS TO THE TRUSTEE. The trustee will request from you a variation of the following:

- Federal and State Tax returns for at least the last two to three years.
- Statements on all financial accounts – checking accounts, savings accounts, pensions, 401k, IRA's, Mutual funds, Life insurance, etc. that you own or that you co-signed covering the date the petition was filed.
- Paystubs for the last month to the last six months.
- Business bank account statements for the past year if you operate a business.
- Pay off statements for your auto and home.
- Copies of all auto, boat, motor home, mobile home and any other recreational vehicle titles or registrations, payoff statements and proof of insurance.
- Complete copies of any divorce decree, separation agreement, alimony/child support orders and property settlements entered by a court during the last 3 years to which you were a party.
- Real property mortgage application, declaration page of homeowner's insurance policy, latest tax assessment page from the county and mortgage payoff statement.

STEP 9: ATTEND YOUR CREDITOR'S MEETING

About 5 Weeks after your petition is filed, a Meeting of Creditors is held. Each debtor is required to attend this meeting and testify under oath.

Make sure to take your **social security card** and government issued **picture id**.

STEP 10: DISCHARGE

If no objections are filed, the court issues the discharge within 60 to 90 days after your creditor's meeting.